

Christopher D. Moon, SBN 246622
chris@moonlawapc.com

Kevin O. Moon, SBN 246792
kevin@moonlawapc.com

MOON LAW APC

228 Hamilton Ave., 3rd Fl
Palo Alto, California 94301
Telephone: (619) 915-9432
Facsimile: (650) 618-0478

Attorneys for Movants

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

In re

PG&E Corporation,

and

PACIFIC GAS AND ELECTRIC
COMPANY,

Debtors.

Case No. 19-30088-DM

Chapter 11

Lead Case, Jointly Administered

**MOTION PURSUANT TO FED. R.
BANKR. PROC. 7015 AND 7017 TO
ENLARGE TIME TO FILE PROOF OF
CLAIM PURSUANT TO FED. R. BANKR.
PROC. 9006(b)(1)**

☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric Company
☒ Affects both Debtors

*All papers shall be filed in the Lead Case, No.
19-30088-DM

Date: November 30, 2022

Time: 10 a.m. (Pacific Time)

Place: **Telephonic/Video Appearances Only**

United States Bankruptcy Court

Courtroom 17,

450 Golden Gate Ave., 16th Floor

San Francisco, CA

Judge: Hon. Dennis Montali

Objection deadline: November 23, 2022

1 Pursuant to Rules 7015 and 7017 of the Federal Rules of Bankruptcy Procedure, which
2 incorporate Federal Rules of Civil Procedure 15 and 17, by this motion (“Motion”) Rick Hallen,
3 Kyla Wright, Dillon Harris, Austin Wright, Josie Wright, Ann Wright, Blake Barnes, and
4 Yvonne Phillips (“Movants”) seek an order expanding the time to file their proof of claim.
5 Movants filed the proofs of claim **#109631 and #109633** after the deadline.

6 This Motion is based upon the points and authorities set forth herein and the concurrently
7 filed Notice of Hearing and Declaration of Christopher D. Moon (“Moon Decl.”) in support of
8 the Motion, in addition to any evidence or oral argument presented at the time of any hearing on
9 this matter. In support thereof, the Movants, by and through their undersigned counsel,
10 respectfully represent as follows:

11 SUMMARY OF ARGUMENT

12 The general bar date in these cases was October 21, 2019 (“Original Bar Date”). The
13 process for submission of timely claims was continued after the Original Bar Date. Pursuant to
14 the Stipulation Between Debtors and Official Committee of Tort Claimants to Extend Bar Date
15 for Fire Claimants and for Appointment of Claims Representative (Dkt No. 4651), the Original
16 Bar Date was extended for the benefit of Unfiled Fire Claimants to December 31, 2019 at 5:00
17 p.m. (Prevailing Pacific Time) and then extended again to February 26, 2021 at 5:00 p.m.
18 (Prevailing Pacific Time). The Debtors’ Chapter 11 plan (“Plan”) was confirmed by court order
19 on June 20, 2020, and pursuant to the Notice of Effective Date, the Plan became effective as of
20 July 1, 2020.

21 Movants are survivors of the Camp Fire, which occurred in 2018. As a result of the Camp
22 Fire, Movants’ home was damaged, but was not destroyed. Movants believed—incorrectly—
23 that because their home was not fully destroyed by the Camp Fire, they were not entitled to
24 pursue damages for their losses and emotional distress caused by the Camp Fire. Upon learning
25 that they were entitled to pursue such claims, Movants immediately filed a proof of claim, which
26 occurred after the bar date.

27 Under Rules 7015 and 7017 of Federal Bankruptcy Procedure (which incorporate Federal
28 Rules of Civil Procedure 15(c) and 17(a)(3)), because there is a lack of bad faith on the part of
Movants and their counsel, the mistake should be corrected by permitting the late filing of the
proof of claim under Bankruptcy Rule 9006(b).

1 Application of the so-called *Pioneer* factors shows that Movants’ late filing is the result
2 of excusable neglect and therefore permissible under Rule 9006(b)(1). As to the first such factor,
3 Movants’ late filing will cause no prejudice to Debtors, as the Plan has been confirmed, the
4 associated Fire Victim Trust funded, and so the inclusion of Movants’ claim in the pool of fire
5 victim claims will have no impact at all on the Debtors or the bankruptcy estates. As to the
6 second *Pioneer* factor, Movants’ delay in filing their claim and any resultant impact on these
7 proceedings are exceedingly modest and immaterial for the same reasons that Debtors will not be
8 prejudiced. As to the third *Pioneer* factor, the reason for the delay and whether it was in
9 Movants’ reasonable control, is that the Movants only learned for the first time in October 2022
10 that they were entitled to pursue damages for their losses and emotional distress caused by the
11 Camp Fire. Upon learning of their rights, Movants promptly contacted Moon Law and,
12 thereafter, filed their Proof of Claim on October 11, 2022. Movants acted in good faith,
13 satisfying the fourth *Pioneer* factor. Because consideration of the *Pioneer* factors points
14 overwhelmingly to Movants’ “neglect” having been excusable, late filing of the proof of claim
15 should be permitted.

16 JURISDICTION AND VENUE

17 The Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334,
18 the Order Referring Bankruptcy Cases and Proceedings to Bankruptcy Judges, General Order 24
19 (N.D. Cal.), and Rule 5011-l(a) of the Bankruptcy Local Rules for the United States District
20 Court for the Northern District of California. This is a core proceeding pursuant to 28 U.S.C. §
21 157(b). Venue is proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409. The statutory
22 predicates for the relief requested herein are Rules 7015, 7017, and 9006(b)(1) of the Federal 21
23 Rules of Bankruptcy Procedure.

24 BACKGROUND

25 As set forth in the Declaration of Christopher D. Moon filed contemporaneously
26 herewith, as a result of the Camp Fire, Movants’ home was damaged, but was not destroyed.
27 Movants believed—incorrectly—that because their home was not fully destroyed by the Camp
28 Fire, they were not entitled to pursue damages for their losses and emotional distress caused by
the Camp Fire. In October 2022, upon learning that they were entitled to pursue such claims,
Movants immediately filed a proof of claim, which occurred after the bar date.

1 **BASIS FOR RELIEF REQUESTED**

2 Bankruptcy Rule 9006(b)(1) allows the enlargement of time for “an act ... required or
3 allowed to be done at or within a specified period ... by order of court.” Rule 9006(b)(1) further
4 provides:

5 [T]he court for cause shown may at any time in its discretion (1) with or without motion
6 or notice order the period enlarged if the request therefor is made before the expiration of
7 the period originally prescribed or as extended by a previous order or (2) on motion made
after the expiration of the specified period permit the act to be done where the failure to
act was the result of excusable neglect.

8 Bankruptcy Rule 9006(b)(1). “Excusable neglect” under Bankruptcy Rule 9006(b)(1) is a
9 flexible concept and case law has identified four non-exclusive factors to be considered:

10 With regard to determining whether a party’s neglect of a deadline is excusable ... we
11 conclude that the determination is at bottom an equitable one, taking account of all
12 relevant circumstances surrounding the party's omission. These include ... [1] the danger
13 of prejudice to the [nonmovant], [2] the length of the delay and its potential impact on
judicial proceedings, [3] the reason for the delay, including whether it was within the
reasonable control of the movant, and [4] whether the movant acted in good faith.

14 *Pioneer Inv. Servs. Co. v. Brunswick Assocs. Ltd. Partnership*, 507 U.S. 380,395, 113 S.Ct.
15 1489,1498 (1993) (citations omitted); *see also In re Orthopedic Bone Screw Prods. Liability*
16 *Litig.*, 246 F.3d 315, 323 (3d Cir. 2001) (citing *Pioneer*, 507 U.S. at 395). Rule 9006(b)(1) allows
17 “late filings caused by inadvertence, mistake, or carelessness, not just those caused by
intervening circumstances beyond the party's control.” *Pioneer*, 507 U.S. at 381.

18 In this case, because there is no danger of prejudice to the Debtors (or anyone else), the
19 first *Pioneer* factor weighs overwhelmingly in Movants’ favor. *See In re Parrott Broad. Ltd.*
20 *P'ship*, 518 B.R. 602, 609 (Bankr. D. Idaho 2014) (“The burden of showing prejudice is on the
21 party objecting to the amendment.”). Any prospect of prejudice is especially unlikely here
22 because of the form of Debtors’ Plan, which provided for a lump-sum payment for the benefit of
23 fire victims. Adding or subtracting claims from the totals does not affect that formulation of the
24 Plan, or in any real way affect the estate. While the Trust has been funded, distributions from the
Trust are still ongoing and a significant portion of claims have not been fully determined.

25 Consideration of the second *Pioneer* factor, the length of the delay and its potential
26 impact on these proceedings, also strongly favors the Movants. Here, although the claims bar
27 date has passed, there is no substantive impact on these proceedings and the administration of
28 this case. *See In re Lyondell Chemical Co.*, 543 B.R. 400, 410 (Bankr. S.D.N.Y. 2016) (length of

1 delay is only given meaning by its effect on the administration of the case). The Movants' "late"
2 filing, if permitted by the Court, would have little to no appreciable impact on these proceedings.

3 As to the third *Pioneer* factor, the reason for the delay and whether it was in Movants'
4 reasonable control, again weighs in favor of excusability. Movants acknowledge this Court's
5 observation, in 2004, that "[o]n balance, ... the authorities construing *Pioneer* weigh the reasons
6 for the delay factor most heavily." *In re Pacific Gas & Electric, Co.*, 311 B.R. 84, 91 (Bankr.
7 N.D. Cal. 2004) (citing *Graphic Communications Int 'l Union, Local 12-N v. Quebecor Printing*
8 *Providence, Inc.*, 270 F.3d 1 (1st Cir. 2001)).¹ A "satisfactory explanation for the late filing" is
9 required. *Graphic Communications* at 5. Here, Movants were unable to timely file their proof of
10 claim. Specifically, it was not until very recently in October 2022 that Movants first learned they
11 were entitled to pursue damages for their losses from the Camp Fire. At that point, Movants
12 immediately contacted Moon Law and filed their Proof of Claim on October 11, 2022.

13 Finally, and for the same reasons, as to the fourth *Pioneer* factor there is no reasonable
14 suggestion that Movants failed to act in good faith.

15 It is also critical to note that an order granting this Motion is of course without prejudice
16 to the rights of relevant parties (the Trustee of the Fire Victim Trust for example) to object to the
17 Movants' claim on substantive or legal grounds, other than timeliness.

18 CONCLUSION

19 For the reasons set forth above, Movants respectfully request that this Court enter an
20 order pursuant to Bankruptcy Rules 7015, 7017, and 9006(b)(1) as follows:

- 21 1. Granting this Motion;

22 ¹ That said, the Fifth and Eleventh Circuits and courts in at least two other circuits (the Third and
23 the Eighth) have identified the danger of prejudice is the most important of the *Pioneer* factors.
24 See *Greyhound Lines, Inc. v. Rogers (In re Eagle Bus Mfg., Inc.)*, 62 F.3d 730, 737 (5th Cir.
25 1995) ("Under *Pioneer*, the central inquiry is whether the debtor will be prejudiced."); *Advanced*
26 *Estimating System, Inc. v. Riney*, 77 F.3d 1322, 1325 (11th Cir. 1996) ("Primary importance
27 should be accorded to the absence of prejudice to the nonmoving party and to the interest of
28 efficient judicial administration."); *In re Cable & Wireless USA, Inc.*, 338 B.R. 609,614 (Bankr.
D. Del. 2006) (quoting *In re Tannen Towers Acquisition Corp.*, 235 B.R. 748, 755 (D.N.J. 1999)
("In applying the *Pioneer* test, courts place the greatest weight on whether any prejudice to the
other parties will occur by allowing a late claim."); *Matter of Papp Intern., Inc.*, 189 B.R. 939,
944 (Bankr. D. Neb. 1995) (citing *In re Sacred Heart Hos. of Norristown*, 186 B.R. 891 as
suggesting "the most significant [*Pioneer*] factor ... is that of prejudice to the debtor.").


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2. Directing that the Proof of Claim, attached as Exhibit A hereto, be deemed timely filed;
and
3. Granting such other or further relief as the Court deems just and proper.

Dated: October 17, 2022

MOON LAW APC

By:



CHRISTOPHER D. MOON
KEVIN O. MOON
Attorneys for Movants

1 Christopher D. Moon, SBN 246622
2 *chris@moonlawapc.com*
3 Kevin O. Moon, SBN 246792
4 *kevin@moonlawapc.com*
5 **MOON LAW APC**
6 228 Hamilton Ave., 3rd Fl
7 Palo Alto, California 94301
8 Telephone: (619) 915-9432
9 Facsimile: (650) 618-0478

10 *Attorneys for Movants*

11
12 **UNITED STATES BANKRUPTCY COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**
14

15 In re
16 PG&E Corporation,
17 and
18 PACIFIC GAS AND ELECTRIC
19 COMPANY,
20 Debtors.

Case No. 19-30088-DM

Chapter 11
Lead Case, Jointly Administered

**DECLARATION OF CHRISTOPHER D.
MOON IN SUPPORT OF MOTION
PURSUANT TO FED. R. BANKR. PROC.
7015 AND 7017 TO ENLARGE TIME TO
FILE PROOF OF CLAIM PURSUANT TO
FED. R. BANKR. PROC. 9006(b)(1)**

21 ☐ Affects PG&E Corporation
22 ☐ Affects Pacific Gas and Electric Company
23 ☒ Affects both Debtors
24
25 *All papers shall be filed in the Lead Case, No.
26 19-30088-DM

Date: November 30, 2022
Time: 10 a.m. (Pacific Time)
Place: **Telephonic/Video Appearances Only**
United States Bankruptcy Court
Courtroom 17,
450 Golden Gate Ave., 16th Floor
San Francisco, CA
Judge: Hon. Dennis Montali
Objection deadline: November 23, 2022

1 I, Christopher D. Moon, hereby declare:

- 2 1. I am an attorney at law duly licensed to practice before all state and federal courts of the
3 State of California. I am a managing partner with the law firm Moon Law APC, based in
4 Palo Alto, California.
- 5 2. My law firm represents wildfire victims who sustained losses from the Camp Fire in
6 2018. My firm has timely filed dozens of Proof of Claim forms with Prime Clerk for
7 losses clients have suffered as a result of the fire.
- 8 3. Claimants Rick Hallen, Kyla Wright, Dillon Harris, Austin Wright, Josie Wright, Ann
9 Wright, Blake Barnes, and Yvonne Phillips ("Movants") informed me in October 2022
10 that they are survivors of the Camp Fire. Movants further informed me that their home
11 was damaged but not fully destroyed by the Camp Fire. Movants also informed me that
12 they believed—incorrectly—that they were not entitled to pursue damages for their losses
13 and emotional distress because their home was not fully destroyed by the Camp Fire, and
14 upon learning they were nonetheless entitled to pursue such damages, they immediately
15 contacted my law firm. Thereafter, I immediately filed a Proof of Claim on their behalf
16 on October 11, 2022.
- 17 4. I am over eighteen years of age, of sound mind, and fully competent to make this
18 declaration. All statements in this declaration are based on my own personal knowledge
19 and observation and from my review of the court and business records in this case, or
20 upon information and belief as indicated. If called to testify on this matter, I can and
21 would competently testify to the matters set forth in this Declaration.
- 22 5. I declare under penalty of perjury pursuant to the laws of the United States of America
23 that the foregoing is true and correct.

24 Executed this 17th day of October, 2022, in Palo Alto, California.

26 

28 _____
CHRISTOPHER D. MOON

EXHIBIT A

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

In re:
PG&E CORPORATION,
- and -
PACIFIC GAS AND ELECTRIC
COMPANY,
Debtors.

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

Proof of Claim (Fire Claim Related)

Read the instructions before filing this claim form. This form is for tort claimants who have a claim against the Debtors (i.e. PG&E Corporation and Pacific Gas and Electric Company) that arose prior to the Debtors filing for bankruptcy (i.e. prior to January 29, 2019) and that arose from, or relates to, a fire.

Do not use this form for non-fire claims. Non-fire tort claimants should use Form 410.

Do NOT file a fraudulent claim. A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Please type or print in the spaces below. Do NOT use red ink or pencil.

Part 1: Identify the Claim

1. Who is the current creditor?	<u>Rick Hallen</u> Name of the current creditor (the person or entity to be paid for this claim)									
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____									
3. Are you filing this claim on behalf of your family? A family is a group of two or more people related by birth, marriage, domestic partnership, or adoption and residing together. All such people are considered as members of one family.	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes If you checked "Yes", please provide the full name of each family member that you are filing on behalf of: <table border="0"><tr><td><u>Kyla Wright</u></td><td><u>Ann Wright</u></td></tr><tr><td><u>Dillon Harris</u></td><td><u>Blake Barnes</u></td></tr><tr><td><u>Austin Wright</u></td><td>_____</td></tr><tr><td><u>Josie Wright</u></td><td>_____</td></tr></table>		<u>Kyla Wright</u>	<u>Ann Wright</u>	<u>Dillon Harris</u>	<u>Blake Barnes</u>	<u>Austin Wright</u>	_____	<u>Josie Wright</u>	_____
<u>Kyla Wright</u>	<u>Ann Wright</u>									
<u>Dillon Harris</u>	<u>Blake Barnes</u>									
<u>Austin Wright</u>	_____									
<u>Josie Wright</u>	_____									
4. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? Name <u>Moon Law APC</u> Attorney Name (if applicable) <u>Christopher D. Moon</u> Attorney Bar Number (if applicable) <u>246622</u> Street Address <u>600 W. Broadway, Suite 700</u> City <u>San Diego</u> State <u>California</u> Zip Code <u>92101</u> Phone Number <u>619-915-9432</u> Email Address <u>chris@moonlawapc.com</u>	Where should payments to the creditor be sent? (if different) Name _____ Attorney Name (if applicable) _____ Attorney Bar Number (if applicable) _____ Street Address _____ City _____ State _____ Zip Code _____ Phone Number _____ Email Address _____								
5. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY									
6. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____									

Part 2: Give Information About the Claim as of the Date this Claim Form is Filed

7. What fire is the basis of your claim?

Check all that apply.

☒ Camp Fire (2018)

☐ North Bay Fires (2017)

☐ Ghost Ship Fire (2016)

☐ Butte Fire (2015)

☐ Other (please provide date and brief description of fire: _____)

8. What are the loss location(s) where you and/or your family suffered harm? (e.g. home or business address, place of injury, place from which you were evacuated, if different?)

Location(s): 13657 Nimshew Rd.
Magalia, CA 95954

9. How were you and/or your family harmed?

Check all that apply

☒ Property Damage (homes, structures, personal property, land, trees, landscaping, and all other property damage)

☒ Owner ☐ Renter ☐ Occupant ☐ Other (Please specify): _____

☒ Personal Injury

☐ Wrongful Death (if checked, please provide the name of the deceased) _____

☐ Business Loss/Interruption

☒ Lost wages and earning capacity

☒ Loss of community and essential services

☐ Agricultural loss

☐ Other (Please specify): _____

10. What damages are you and/or your family claiming/seeking?

Check all that apply

☒ Economic damages (including replacement cost of damaged property, diminution in value, loss of use, lost inventory, lost profits, and other economic damage)

☒ Non-economic damages (including loss of society and support, loss of consortium, pain and suffering, emotional distress, annoyance and discomfort, and other non-economic damage)

☒ Punitive, exemplary, and statutory damages

☒ Attorney's fees and litigation costs

☒ Interest

☒ Any and all other damages recoverable under California law

☐ Other (Please specify): _____

11. How much is the claim?

☐ \$ _____ (optional)

☒ Unknown / To be determined at a later date

Part 3: Sign Below

The person completing this proof of claim must sign and date it.
FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.
18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- ☐ I am the creditor.
☒ I am the creditor's attorney or authorized agent.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Signature: Christopher D. Moon
Christopher D. Moon (Oct 11, 2022 14:52 PDT)

Email: chris@moonlawapc.com

Signature

Print the name of the person who is completing and signing this claim:

Name	Christopher Decker Moon		
	First name	Middle name	Last name
Title	Managing Partner		
Company	Moon Law APC		
	Identify the corporate servicer as the company if the authorized agent is a servicer.		
Address	600 W. Broadway, Suite 700		
	Number	Street	
	San Diego	CA	92101
	City	State	ZIP Code
Contact phone	619-915-9432	Email	chris@moonlawapc.com

Attach Supporting Documentation (limited to a single PDF attachment that is less than 5 megabytes in size and under 100 pages):

☐ I have supporting documentation.
(attach below)

☒ I do not have supporting documentation.

PLEASE REVIEW YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTS AND REDACT ACCORDINGLY PRIOR TO UPLOADING THEM. PROOFS OF CLAIM AND ATTACHMENTS ARE PUBLIC DOCUMENTS THAT WILL BE AVAILABLE FOR ANYONE TO VIEW ONLINE.

IMPORTANT NOTE REGARDING REDACTING YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTATION When you submit a proof of claim and any supporting documentation you must show only the last four digits of any social-security, individual's tax-identification, or financial-account number, only the initials of a minor's name, and only the year of any person's date of birth. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information.

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. The responsibility for redacting personal data identifiers (as defined in Federal Rule of Bankruptcy Procedure 9037) rests solely with the party submitting the documentation and their counsel. Prime Clerk and the Clerk of the Court will not review any document for redaction or compliance with this Rule and you hereby release and agree to hold harmless Prime Clerk and the Clerk of the Court from the disclosure of any personal data identifiers included in your submission. In the event Prime Clerk or the Clerk of the Court discover that personal identifier data or information concerning a minor individual has been included in a pleading, Prime Clerk and the Clerk of the Court are authorized, in their sole discretion, to redact all such information from the text of the filing and make an entry indicating the correction.

Instructions for Proof of Claim (Fire Claim Related)

United States Bankruptcy Court

You may have a claim against the Debtors for monetary loss, personal injury (including death), or other asserted damages arising out of or related to a fire. You should consider obtaining the advice of an attorney, especially if you are unfamiliar with the chapter 11 process and privacy regulations.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.
18 U.S.C. §§ 152, 157 and 3571.

How to fill out this form

- **Fill in all of the information about the claim as of the date this claim form is filed.**
- **If the claim has been acquired from someone else, then state the identity of the last party who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.**
- **For a minor child, fill in only the child's initials and the full name of the child's parent or guardian.** For example, write *A.B., a minor child (John Doe, parent)*. See Bankruptcy Rule 9037.
- **You may but are not required to attach supporting documents to this form.**
Supporting documents will be gathered, maintained, and provided at a later date as instructed by the Court. If you do attach documents, you should attach redacted documents as supporting documentation will be made publicly available and will not be kept confidential. See the definition of *redaction* of information below.
- **Do not attach original documents because attachments may be destroyed after scanning.**
- **Question 3.** Members of a family may but are not required to file a proof of claim as a family but may, if they choose, submit individual claim forms for each family member that has a claim against the debtors.

- **Question 9.** If you suffered property damage, then provide the street address of each real property parcel where you suffered property damage. If you were personally evacuated as the result of a fire, then provide the address or intersection closest to where you encountered the fire and began evacuation. If you suffered property damage and were evacuated from a different location, include both. If you were a renter, provide the address of your residence.
- **Question 10.** This question requests general statements of underlying facts relating to harm and is not intended to be exhaustive or preclusive.
- **Question 11.** You are not required to include a claim amount with your proof of claim. Providing a claim amount at this time is optional.

Confirmation that the claim has been filed

To receive confirmation that the claim has been filed, enclose a stamped self-addressed envelope and a copy of this form together with the original. You may view a list of filed claims in this case by visiting the Claims and Noticing Agent's website at

<https://restructuring.primeclerk.com/pge>.

Understand the terms used in this form

Claim: A creditor's right to receive payment for a debt that the debtor owed on the date the debtor filed for bankruptcy. 11 U.S.C. §101 (5). A claim may be secured or unsecured.

Creditor: A person, corporation, or other entity to whom a debtor owes a debt that was incurred on or before the date the debtor filed for bankruptcy. 11 U.S.C. § 101 (10).

Debtor: A person, corporation, or other entity who is in bankruptcy. In this instance, PG&E Corporation and Pacific Gas & Electric Company.

Information that is entitled to privacy: A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, an individual's tax identification number, or a financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If a claim is based on delivering health care goods or services, limit the disclosure of the goods or services to avoid embarrassment or disclosure of confidential health care information. You may later be required to give more information if the trustee or someone else in interest objects to the claim.

Proof of claim: A form that shows the creditor has a claim against the debtors on or before the date of the bankruptcy filing (in these cases, January 29, 2019). The form must be filed in the district where the case is pending.

Redaction of information: Masking, editing out, or deleting certain information to protect privacy. Filers must redact or leave out information entitled to **privacy** on the *Proof of Claim* form and any attached documents.

Offers to purchase a claim

Certain entities purchase claims for an amount that is less than the face value of the claims. These entities may contact creditors offering to purchase their claims. Some written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court, the bankruptcy trustee, or the debtor. A creditor has no obligation to sell its claim. However, if a creditor decides to sell its claim, any transfer of that claim is subject to Bankruptcy Rule 3001(e), any provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.) that apply, and any orders of the bankruptcy court that apply.

Please send completed Proof(s) of Claim to:

If by first class mail:

PG&E Corporation Claims Processing Center
c/o Prime Clerk LLC
Grand Central Station, PO Box 4850
New York, NY 10163-4850

If by overnight courier or hand delivery:

PG&E Corporation Claims Processing Center
c/o Prime Clerk LLC
850 Third Avenue, Suite 412
Brooklyn, NY 11232

You may also hand deliver your completed Proof(s) of Claim to any of the following service center offices (beginning July 15, 2019 through the Bar Date (October 21, 2019) during the hours of 8:30 a.m. – 5:00 p.m. Prevailing Pacific Time):

Chico Service Center
350 Salem Street
Chico, CA 95928

Marysville Service Center
231 "D" Street
Marysville, CA 95901

Napa Service Center
1850 Soscol Ave. Ste 105
Napa, CA 94559

Oroville Service Center
1567 Huntoon Street
Oroville, CA 95965

Redding Service Center
3600 Meadow View Road
Redding, CA 96002

Santa Rosa Service Center
111 Stony Circle
Santa Rosa, CA 95401

Photocopy machines will not be available at the Claim Service Centers; you must bring a photocopy of your Proof of Claim if you wish to receive a date-stamped copy.

Do not file these instructions with your form





Electronic Proof of Claim_OUQ@@27402[[CSLT#4025#CF]]

Final Audit Report

2022-10-11

Created:	2022-10-11
By:	Kroll (efiling@ra.kroll.com)
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-  Web Form created by Kroll (efiling@ra.kroll.com)
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-  Web Form filled in by Christopher D. Moon (chris@moonlawapc.com)
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-  Agreement completed.
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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

In re:
PG&E CORPORATION,
- and -
PACIFIC GAS AND ELECTRIC
COMPANY,
Debtors.

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

Proof of Claim (Fire Claim Related)

Read the instructions before filing this claim form. This form is for tort claimants who have a claim against the Debtors (i.e. PG&E Corporation and Pacific Gas and Electric Company) that arose prior to the Debtors filing for bankruptcy (i.e. prior to January 29, 2019) and that arose from, or relates to, a fire.

Do not use this form for non-fire claims. Non-fire tort claimants should use Form 410.

Do NOT file a fraudulent claim. A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Please type or print in the spaces below. Do NOT use red ink or pencil.

Part 1: Identify the Claim

1. Who is the current creditor?	Yvonne Phillips Name of the current creditor (the person or entity to be paid for this claim)	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Are you filing this claim on behalf of your family? A family is a group of two or more people related by birth, marriage, domestic partnership, or adoption and residing together. All such people are considered as members of one family.	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If you checked "Yes", please provide the full name of each family member that you are filing on behalf of: _____ _____ _____ _____	
4. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? Name <u>Moon Law APC</u> Attorney Name (if applicable) <u>Christopher D. Moon</u> Attorney Bar Number (if applicable) <u>246622</u> Street Address <u>600 W. Broadway, Suite 700</u> City <u>San Diego</u> State <u>CA</u> Zip Code <u>92101</u> Phone Number <u>619-915-9432</u> Email Address <u>chris@moonlawapc.com</u>	Where should payments to the creditor be sent? (if different) Name _____ Attorney Name (if applicable) _____ Attorney Bar Number (if applicable) _____ Street Address _____ City _____ State _____ Zip Code _____ Phone Number _____ Email Address _____
5. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY	
6. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

Claim Number: 109633

Proof of Claim (Fire Related)

Page 1

Part 2: Give Information About the Claim as of the Date this Claim Form is Filed

7. What fire is the basis of your claim?

Check all that apply.

☒ Camp Fire (2018)

☐ North Bay Fires (2017)

☐ Ghost Ship Fire (2016)

☐ Butte Fire (2015)

☐ Other (please provide date and brief description of fire: _____)

8. What are the loss location(s) where you and/or your family suffered harm? (e.g. home or business address, place of injury, place from which you were evacuated, if different?)

Location(s): 14864 Glenwood Dr.
Magalia, CA 95954

9. How were you and/or your family harmed?

Check all that apply

☒ Property Damage (homes, structures, personal property, land, trees, landscaping, and all other property damage)

☐ Owner ☐ Renter ☒ Occupant ☐ Other (Please specify): _____

☒ Personal Injury

☐ Wrongful Death (if checked, please provide the name of the deceased) _____

☐ Business Loss/Interruption

☐ Lost wages and earning capacity

☒ Loss of community and essential services

☐ Agricultural loss

☐ Other (Please specify): _____

10. What damages are you and/or your family claiming/seeking?

Check all that apply

☒ Economic damages (including replacement cost of damaged property, diminution in value, loss of use, lost inventory, lost profits, and other economic damage)

☒ Non-economic damages (including loss of society and support, loss of consortium, pain and suffering, emotional distress, annoyance and discomfort, and other non-economic damage)

☒ Punitive, exemplary, and statutory damages

☒ Attorney's fees and litigation costs

☒ Interest

☒ Any and all other damages recoverable under California law

☐ Other (Please specify): _____

11. How much is the claim?

☐ \$ _____ (optional)

☒ Unknown / To be determined at a later date

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

- ☐ I am the creditor.
☒ I am the creditor's attorney or authorized agent.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Signature: Christopher D. Moon
Christopher D. Moon (Oct 12, 2022 13:24 PDT)

Email: chris@moonlawapc.com

Signature

Print the name of the person who is completing and signing this claim:

Name	<u>Christopher D. Moon</u>		
	<small>First name</small>	<small>Middle name</small>	<small>Last name</small>
Title	<u>Managing Partner</u>		
Company	<u>Moon Law APC</u>		
	<small>Identify the corporate servicer as the company if the authorized agent is a servicer.</small>		
Address	<u>600 W. Broadway, Suite 700</u>		
	<small>Number</small>	<small>Street</small>	
	<u>San Diego</u>	<u>CA</u>	<u>92101</u>
	<small>City</small>	<small>State</small>	<small>ZIP Code</small>
Contact phone	<u>619-915-9432</u>	<small>Email</small>	<u>chris@moonlawapc.com</u>

Attach Supporting Documentation (limited to a single PDF attachment that is less than 5 megabytes in size and under 100 pages):

☐ I have supporting documentation.
(attach below)

☒ I do not have supporting documentation.

PLEASE REVIEW YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTS AND REDACT ACCORDINGLY PRIOR TO UPLOADING THEM. PROOFS OF CLAIM AND ATTACHMENTS ARE PUBLIC DOCUMENTS THAT WILL BE AVAILABLE FOR ANYONE TO VIEW ONLINE.

IMPORTANT NOTE REGARDING REDACTING YOUR PROOF OF CLAIM AND SUPPORTING DOCUMENTATION When you submit a proof of claim and any supporting documentation you must show only the last four digits of any social-security, individual's tax-identification, or financial-account number, only the initials of a minor's name, and only the year of any person's date of birth. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information.

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. The responsibility for redacting personal data identifiers (as defined in Federal Rule of Bankruptcy Procedure 9037) rests solely with the party submitting the documentation and their counsel. Prime Clerk and the Clerk of the Court will not review any document for redaction or compliance with this Rule and you hereby release and agree to hold harmless Prime Clerk and the Clerk of the Court from the disclosure of any personal data identifiers included in your submission. In the event Prime Clerk or the Clerk of the Court discover that personal identifier data or information concerning a minor individual has been included in a pleading, Prime Clerk and the Clerk of the Court are authorized, in their sole discretion, to redact all such information from the text of the filing and make an entry indicating the correction.

Instructions for Proof of Claim (Fire Claim Related)

United States Bankruptcy Court

You may have a claim against the Debtors for monetary loss, personal injury (including death), or other asserted damages arising out of or related to a fire. You should consider obtaining the advice of an attorney, especially if you are unfamiliar with the chapter 11 process and privacy regulations.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.
18 U.S.C. §§ 152, 157 and 3571.

How to fill out this form

- **Fill in all of the information about the claim as of the date this claim form is filed.**
- **If the claim has been acquired from someone else, then state the identity of the last party who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.**
- **For a minor child, fill in only the child's initials and the full name of the child's parent or guardian.** For example, write *A.B., a minor child (John Doe, parent)*. See Bankruptcy Rule 9037.
- **You may but are not required to attach supporting documents to this form.**
Supporting documents will be gathered, maintained, and provided at a later date as instructed by the Court. If you do attach documents, you should attach redacted documents as supporting documentation will be made publicly available and will not be kept confidential. See the definition of *redaction* of information below.
- **Do not attach original documents because attachments may be destroyed after scanning.**
- **Question 3.** Members of a family may but are not required to file a proof of claim as a family but may, if they choose, submit individual claim forms for each family member that has a claim against the debtors.

- **Question 9.** If you suffered property damage, then provide the street address of each real property parcel where you suffered property damage. If you were personally evacuated as the result of a fire, then provide the address or intersection closest to where you encountered the fire and began evacuation. If you suffered property damage and were evacuated from a different location, include both. If you were a renter, provide the address of your residence.
- **Question 10.** This question requests general statements of underlying facts relating to harm and is not intended to be exhaustive or preclusive.
- **Question 11.** You are not required to include a claim amount with your proof of claim. Providing a claim amount at this time is optional.

Confirmation that the claim has been filed

To receive confirmation that the claim has been filed, enclose a stamped self-addressed envelope and a copy of this form together with the original. You may view a list of filed claims in this case by visiting the Claims and Noticing Agent's website at

<https://restructuring.primeclerk.com/page>.

Understand the terms used in this form

Claim: A creditor's right to receive payment for a debt that the debtor owed on the date the debtor filed for bankruptcy. 11 U.S.C. § 101 (5). A claim may be secured or unsecured.

Creditor: A person, corporation, or other entity to whom a debtor owes a debt that was incurred on or before the date the debtor filed for bankruptcy. 11 U.S.C. § 101 (10).

Debtor: A person, corporation, or other entity who is in bankruptcy. In this instance, PG&E Corporation and Pacific Gas & Electric Company.

Information that is entitled to privacy: A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, an individual's tax identification number, or a financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If a claim is based on delivering health care goods or services, limit the disclosure of the goods or services to avoid embarrassment or disclosure of confidential health care information. You may later be required to give more information if the trustee or someone else in interest objects to the claim.

Proof of claim: A form that shows the creditor has a claim against the debtors on or before the date of the bankruptcy filing (in these cases, January 29, 2019). The form must be filed in the district where the case is pending.

Redaction of information: Masking, editing out, or deleting certain information to protect privacy. Filers must redact or leave out information entitled to **privacy** on the *Proof of Claim* form and any attached documents.

Offers to purchase a claim

Certain entities purchase claims for an amount that is less than the face value of the claims. These entities may contact creditors offering to purchase their claims. Some written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court, the bankruptcy trustee, or the debtor. A creditor has no obligation to sell its claim. However, if a creditor decides to sell its claim, any transfer of that claim is subject to Bankruptcy Rule 3001(e), any provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.) that apply, and any orders of the bankruptcy court that apply.

Please send completed Proof(s) of Claim to:

If by first class mail:

PG&E Corporation Claims Processing Center
c/o Prime Clerk LLC
Grand Central Station, PO Box 4850
New York, NY 10163-4850

If by overnight courier or hand delivery:

PG&E Corporation Claims Processing Center
c/o Prime Clerk LLC
850 Third Avenue, Suite 412
Brooklyn, NY 11232

You may also hand deliver your completed Proof(s) of Claim to any of the following service center offices (beginning July 15, 2019 through the Bar Date (October 21, 2019) during the hours of 8:30 a.m. – 5:00 p.m. Prevailing Pacific Time):

Chico Service Center
350 Salem Street
Chico, CA 95928

Marysville Service Center
231 "D" Street
Marysville, CA 95901

Napa Service Center
1850 Soscol Ave. Ste 105
Napa, CA 94559

Oroville Service Center
1567 Huntoon Street
Oroville, CA 95965

Redding Service Center
3600 Meadow View Road
Redding, CA 96002

Santa Rosa Service Center
111 Stony Circle
Santa Rosa, CA 95401

Photocopy machines will not be available at the Claim Service Centers; you must bring a photocopy of your Proof of Claim if you wish to receive a date-stamped copy.

Do not file these instructions with your form

Electronic Proof of Claim_ZBZ#J27402[[CSLT#4025#CF]]


Final Audit Report


2022-10-12


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 Agreement completed.
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